

Biography



ROGER G. BROOKS

Roger G. Brooks is a partner in Cravath's Litigation Department. His practice covers a wide range of courtroom litigation for technologically intensive companies, including disputes concerning patents, licensing, trade secrets and technology-related antitrust claims.

As lead counsel representing the world's preeminent cellular technology development and licensing company, Qualcomm Inc., Mr. Brooks won the dismissal of an antitrust action in Mississippi federal court arising out of the development of the 4G LTE international cellular standard and obtained a favorable settlement of a similar action against Qualcomm in Pennsylvania federal court. Mr. Brooks also obtained the dismissal of an antitrust lawsuit brought by Broadcom that sought to have many of Qualcomm's patents declared unenforceable and advises concerning competition law proceedings in both European and Asian jurisdictions and on antitrust compliance.

Mr. Brooks is an expert in licensing and competition law issues relating to standardized technologies and so-called "FRAND" licensing, and was lead counsel for Qualcomm in a licensing dispute against Nokia that resulted in a multibillion-dollar settlement payment to Qualcomm, as well as in private arbitrations concerning licensing disputes.

Mr. Brooks' patent representations have included:

- Served as lead counsel for Qualcomm successfully defending against patent claims directed against GPS functionality in cellular phones.
- Secured a trial victory for Mylan in a Paragraph IV pharmaceutical patent infringement case against Teva and won a separate appeal before the Federal Circuit concerning the validity of pharmaceutical composition patents.

- Represented Alarm.com in multiple lawsuits both asserting and defending against patents relating to next-generation home security systems capable of being controlled remotely through smartphones, and achieving a favorable settlement that confirmed the value of Alarm.com's portfolio and preserved its freedom of action. Mr. Brooks is currently defending Alarm.com in a patent infringement suit over the technology in Utah federal court.
- Represented IBM in successfully defending against patent infringement claims relating to operating system design, computer security and CPU micro-architecture.
- Represented Schering AG (now Bayer Schering Pharma AG) as plaintiff in biotechnology patent infringement litigation relating to the recombinant production of a multiple sclerosis treatment, recovering \$75 million for his client.

Mr. Brooks' trade secret representations have included:

- Served as lead counsel for Renaissance Technologies, the world's preeminent statistical arbitrage hedge fund, in an action against former employees to protect the mathematical trade secrets underlying the client's computerized trading strategy. A settlement was obtained in which the new employer discharged the former employees and made a multimillion-dollar payment to the client.
- Advised DuPont on international strategy for protection of trade secrets relating to chemical manufacturing processes.

From 2010 through 2015, *Chambers USA* has recognized Mr. Brooks as one of the leading practitioners in the intellectual property arena. Mr. Brooks was recommended by *The Legal 500 United States* for his work in trade secrets matters from 2009 through 2015, for his work in patent litigation in 2014 and 2015 and for his antitrust work in 2015. He was also recognized by *Benchmark Litigation* for his litigation work from 2009 through 2013. The 2014 and 2015 editions of *Benchmark Litigation* named him a “Local Litigation Star” in the New York area for intellectual property and antitrust. He was also recognized by *IAM Patent 1000* for his work in patent litigation from 2013 through 2015. In 2011–2012, Mr. Brooks and his colleagues earned the Firm distinction as “Law Firm of the Year” in intellectual property litigation in the *U.S. News & World Report-Best Lawyers* survey of the best law firms in the United States. The publication also ranked Cravath in the highest tier for patent litigation and intellectual property litigation from 2011 through 2015. In 2014, Mr. Brooks was also recognized for his work in patent litigation in the *Leaders League Innovation - Technology & Intellectual Property Report*. He was named to *Lawdragon’s* 2014–15 list of 500 Leading Lawyers in America.

Mr. Brooks has authored articles on intellectual property and antitrust issues, including “SSO Rules, Standardization, and SEP Licensing: Economic Questions from the Trenches,” was published in the *Journal of Competition Law and Economics* (2013). His article, “Patent ‘Hold-Up,’ Standards-Setting Organizations and the FTC’s Campaign Against Innovators,” was published in the *AIPLA Quarterly Journal* (Fall 2011). Mr. Brooks co-authored the chapter “Taking Contracts Seriously: The Meaning of the Voluntary Commitment to Licence Essential Patents on ‘Fair and Reasonable’ Terms” in *Intellectual Property and Competition Law: New Frontiers*, published by Oxford University Press.

Following the Cravath tradition of serving all of the mission-critical litigation needs of his clients, Mr. Brooks has also successfully represented clients on a diverse range of matters going well beyond intellectual property and licensing disputes, including:

- Successfully defended handbag manufacturer Dooney & Bourke against trademark infringement claims brought by Louis Vuitton seeking over \$100 million.
- Represented clients responding to SEC inquiries regarding trading practices.
- Represented clients in high-value purchase price adjustment disputes.
- Represented clients in defending against class action securities fraud claims.

Mr. Brooks is from Chapel Hill, North Carolina. He received an A.B. from Princeton University in 1984, an M.A. in history from the University of Virginia in 1987 and a J.D. from the University of Virginia in 1987, where he was Articles Editor of the Law Review. After a clerkship with the Hon. John D. Butzner, Jr. of the U.S. Court of Appeals for the Fourth Circuit, Mr. Brooks joined Cravath in 1988. In 1992, he left Cravath to attend seminary and received an M. Div. from Regent College Seminary in Vancouver, British Columbia, in 1995. He returned to Cravath in 1995 and became a partner in 1999.

Mr. Brooks is a member of the International Bar Association.

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